

Appl. No. 09/998,806
Atty. Docket No. 8317
Amdt. dated 7/27/2005
Reply to Office Action of 12/12/03
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1, 4-6 and 18-29 are now in the application.

Claim 1, and, perforce, all claims ultimately depending therefrom, have been amended to specify the amount of hydrophilic fiber in the reservoir layer and in the surface contacting layer (i.e., less than 50% upper limit in each instance; basis at page 6, lines 4 and 31, respectively).

Claim 1, *et seq.*, also now recite a preferred hydrophobic fiber range for each layer. (Basis is at page 6, second full paragraph and page 7, first full paragraph.)

Claim 1, *et seq.*, also now recite a preferred basis weight range for the surface contacting layer. (Basis is at page 7, second full paragraph.)

Claim 1, *et seq.*, also now recite the percentage surface area of the patterned bonding. (Basis is at page 8, last paragraph.)

Claim 4 now recites the substrate being “essentially free of a binder material”, per original Claim 7. Claim 7 has been cancelled as redundant.

Claim 6 now recites two layers, per original Claim 15, said latter claim being cancelled as redundant.

It is submitted that all amendments are supported, and entry is requested.

Rejections Under 35 USC 103

Claims 1-7, 15 and 18-29 stand rejected over U.S., 4,853,281 in view of U.S. 4,837,078 and JP 2000080522, for reasons or record at pages 2-3 of the Office Action.

Applicants respectfully traverse all rejections over this combination of cited documents, to the extent they may apply to the claims as now amended.

Applicants also acknowledge the careful consideration of the cited documents by the Examiner.

Turning first to ‘078 it is noted that the teachings of ‘078 are quite specific, as regards the disclosed “WET/DRY WIPES” (column 1, title).

The ‘078 wipes have, “. . . separate wet and dry facings on opposite sides of a single disposable nonwoven wipe or towel (hereafter “wipe”).” Column 1, lines 33-35.

The ‘078 wipe is intended to provide, “. . . sequential wet and dry cleaning operations.” Column 1, lines 37-39 [emphasis supplied]

The ‘078 patent teaches that “. . . an externally-positioned web of the wet facing contains not less than 60 wt.% of the hydrophilic component . . .” Column 1, lines 56-58 [emphasis supplied] See also, column 2, lines 60-64, wherein this 60% minimum is again emphasized.

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In short, the purpose of the wipes of '078 is to provide, in a single wipe, a surface that cleans-up dry soil (e.g., dusting) and a surface that picks-up wet residues (e.g., water spills). Column 1, lines 24-29. Hence, the separate wet/dry facings are provided.

Again, the wipe surface designed for wet usage contains not less than 60 wt.% of the hydrophilic fibers, whereas the surface designed for dry usage comprises hydrophobic fibers (column 1, lines 67-68.)

In sharp contrast, the wipes of the present invention are intended to release fluid, e.g., from a premoistened wipe article, in a controlled manner. (Page 2, lines 14-16.)

In order to achieve this controlled release, several elements act in concert in the present invention.

As recited in the presently amended claims, both the reservoir layer and the surface contacting layer comprise both hydrophilic and hydrophobic fibers.

In neither the reservoir layer nor the surface contacting layer does the amount of hydrophilic fibers exceed 50%.

And, the layers are bonded together in a prescribed patterned formation.

With regard to '281 ("Win") the Examiner notes that Win does not teach employing both hydrophilic and hydrophobic fibers. The Examiner further asserts that '078 ("Harrington") teaches the advantages of employing both hydrophilic and hydrophobic fibers in wet wipes, but does not teach employing hydrophilic polypropylene. However, JP '522 assertedly fills this gap by teaching that polypropylene can be rendered hydrophilic. (Office Action, page 3.)

As per the earlier discussion of '078, it is clear that, whatever the teachings of '281 and JP '522, the only document cited for the combination of hydrophilic and hydrophobic fibers requires the use of not less than about 60 wt.% of the hydrophilic component in the externally-positioned web. Nothing in '281 nor JP '522 would appear to suggest any other wt.% of hydrophilic fibers in a mixed fiber system. Accordingly, nothing in this combination of documents teaches or suggests the now-claimed "less than 50%, by weight" limit for the hydrophilic polypropylene fibers used herein.

As the Examiner is aware, part of the test to establish *prima facie* obviousness is that the prior art reference or combined references must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 98 (CCPA 1974); MPEP 2143.03. Since all limitations of the amended claims are not taught (indeed, for the key wt.% limitation, '078 teaches away) by the combination of cited documents, reconsideration and withdrawal of the rejections are requested.


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In light of the foregoing, early and favorable action in the case is requested.

Respectfully submitted,

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